

ORIGINAL

UNITED STATES DISTRICT COURT  
UNITED STATES COURT HOUSE  
FOR THE NORTHERN DISTRICT OF TEXAS  
1100 COMMERCE STREET, RM. 1452  
DALLAS, TEXAS 75242

U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS <b>FILED</b> DEC 15 2003 CLERK, U.S. DISTRICT COURT By _____ Deputy
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DONALD S. BRYANT JR., A MARRIED PERSON, )  
AS TRUSTEE OF THE BRYANT FAMILY TRUST, )  
LINDA M. BRYANT, A MARRIED PERSON, )  
TRUSTEE OF THE BRYANT FAMILY TRUST, )  
THE BRYANT FAMILY TRUST. )

PLAINTIFFS )

vs. )

PLAINS NATIONAL BANK OF LUBBOCK, TEXAS, )  
PLAINS CAPITAL BANK OF LUBBOCK, TEXAS, )  
MARK GRIFFIN, PRESIDENT, ALL BOARD )  
MEMBERS, OFFICERS OF BANK, AND ALL )  
SPOUSES OF PRESIDENT, BOARD MEMBERS, AND )  
OFFICERS OF BANK )

DEFENDANTS )

CASE NUMBER

COMPLAINT

\$000,000.00 - H

FOR THE COMPLAINT, PLAINTIFFS ALLEGE THE FOLLOWING:

COMES NOW THE PLAINTIFFS DONALD S. BRYANT JR., PRO SE, LINDA M. BRYANT, PRO SE, AND THE BRYANT FAMILY TRUST, RESIDENTS OF LUBBOCK, TEXAS, COMPLAINT AGAINST THE PLAINS NATIONAL BANK OF LUBBOCK, TEXAS (FORMAL NAME) PLAINS CAPITAL BANK OF LUBBOCK, TEXAS (CURRENT NAME OF BANK), FOR CAUSE OF ACTION. PLAINTIFFS WILL RESPECTFULLY SHOW UNTO THE COURT AS FOLLOWS:

1. DISCOVERY IN THE ABOVE CAUSE IS INTENDED TO BE CONDUCTED UNDER THE FEDERAL RULES OF CIVIL PROCEDURES..
2. DEFENDANTS: A. BANK IS LOCATED IN LUBBOCK, TEXAS. B. MARK GRIFFIN, BOARD MEMBERS, OFFICERS, AND ALL SPOUSES ARE RESIDENTS OF LUBBOCK, TEXAS.

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3. ALL DEFENDANTS RESIDE IN FEDERAL COURT DISTRICT.

4. THIS COURT HAS JURISDICTION AND VENUE IS PROPER.

5. DEFENDANTS'S SPOUSES ARE INCLUDED IN CAUSE BECAUSE OF THE COMMUNITY PROPERTY LAW, AND SPOUSES IS USED BECAUSE PLAINTIFFS ARE NOT AWARE OF THE TRUE NAMES OF SPOUSES. PLAINTIFFS REQUEST THAT DEFENDANTS STATE THE TRUE NAMES OF ALL SPOUSES NAMED IN THEIR RESPONSIVE PLEADING.

6. PLAINTIFFS DONALD S. BRYANT JR. AND LINDA M. BRYANT WERE PLACED IN DANGER OF BEING SENT TO PRISON UNDER THE 1986 MONETARY CONTROL ACT BY SAID BANK, PLAINS NATIONAL BANK, BEARING FALSE AND PERJURING STATEMENTS TO THE FBI OF LUBBOCK, TEXAS. THESE STATEMENTS TOOK PLACE IN LUBBOCK, TEXAS BEFORE MAY 9<sup>TH</sup>, 2002.

7. CONSPIRACY AND COLLUSION BEGINNING AT SOME TIME IN APRIL AND OR MAY OF THE YEAR 2002, UNKNOWN TO PLAINTIFFS. DEFENDANTS GAVE THE FBI FALSE AND MISLEADING STATEMENTS THAT WOULD INCRIMINATE BOTH PLAINTIFFS AND HAVE THEM SENT TO JAIL. THIS ACTIVITY ALSO RESULTED IN THE BRYANT FAMILY TRUST GOING OUT OF BUSINESS AND CAUSED A MAJOR LOSS OF INCOME TO THE PLAINTIFFS. MARK GRIFFIN SERVES ON BOTH THE BANK AND THE SCHOOL DISTRICT BOARD AS PRESIDENT.

8. THE CONSPIRACY AS ALLEGED IN NUMBER(7) HAS CAUSED GRIEVOUS HARM TO SAID TRUST AND THE BRYANT FAMILY IN THE LUBBOCK AREA. IT IS ALSO ALLEGED THAT WITH THIS ACTION THE PLAINS NATIONAL BANK VIOLATED THE FIDUCIARY TRUST BETWEEN THE BANK AND THE BRYANT TRUST IN ORDER TO GAIN, AT THE PLAINTIFFS EXPENSE, THE IDEA THAT THE BRYANT FAMILY TRUST DID BUSINESS AS A LAUNDERER OF DRUG MONEY. WHEN IN FACT NO BASIS FOR THIS EXISTED.

9. FRAUD IS ALLEGED ON THE PART OF THE BANK, AND IN THIS AREA IT COMMITTED FRAUD BY MAKING FALSE AND MISLEADING STATEMENTS TO THE FBI IN LUBBOCK, TEXAS. IT ALSO COMMITTED FRAUD BY NOT BEING HONEST WITH THE BRYANT FAMILY TRUST, BY NOT TELLING SAID PLAINTIFFS THAT HAVING LARGE AMOUNTS OF CASH COMING INTO THE ACCOUNT IN THE BANK BY THE NAME OF THE BRYANT FAMILY TRUST, THAT THEY WOULD TURN THIS INTO THE FBI FOR A CRIMINAL OFFENSE SUCH AS THE 1986 MONETARY CONTROL ACT. INSTEAD THE OFFICER, BRENDIE FENNIMORE, TOLD BRYANT THAT AS LONG AS THE MONEY CAME IN THROUGH THE FEDERAL WIRE SYSTEM, THE MONEY WAS CLEAN AND ANY AMOUNT COULD COME IN WITH NO PROBLEM.

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10. OBSTRUCTION OF JUSTICE WILL BE ADDRESSED ON BEHALF OF DONALD S. BRYANT JR. AND LINDA M. BRYANT, INVOLVING THIS MATTER.

11. NUMEROUS VIOLATIONS OF CIVIL RIGHTS AND OTHER CHARGES OF DONALD S. BRYANT JR. WILL BE ADDRESSED IN A LATER COMPLAINT.

12. PURSUANT TO THE FEDERAL RICO STATUE, THE ACTS COMPLAINED HEREIN CONSTITUTES RACKETEERING, IN THAT SAID ACTS WERE COMMITTED BASED ON ASSERTION OF FALSE CLAIMS FOR FRAUD, FINANCIAL GAIN, AND SCHEME OF ARTIFICER TO DEFRAUD CHARGEABLE OR INDICTABLE UNDER THE FEDERAL RICO STATUE AND PUNISHABLE BY IMPRISONMENT AS THE COURT DEEMS REASONABLE.

13. THE ACTIONS OF THE DEFENDANTS VIOLATED BOTH COMMON LAW OF FIDUCIARY DUTIES AND THE FIDUCIARY IMPOSED BY THE BANK CHARTER.

WHEREFORE, AND IN ACCORDANCE WITH THE FOREGOING, PLAINTIFFS REQUEST THAT THE COURT ENTER JUDGEMENT AGAINST ALL DEFENDANTS AS FOLLOWS: (1) FOR DEFENDANTS BE REQUIRED TO ACCOUNT TO PLAINTIFFS, ALL TRANSACTIONS WITH GOVERNMENT AGENCIES, (2) FOR DAMAGES , JOINTLY AND SEVERALLY AGAINST EACH DEFENDANT, IN THE AMOUNT OF (5) FIVE MILLION DOLLARS, (3) FOR TREBLE DAMAGES PURSUANT IN THE AMOUNT WHICH THE COURT DEEMS REASONABLE, (4) PUNITIVE DAMAGES WHICH APPEARS REASONABLE TO THE COURT, (5) FOR PRE-JUDGEMENT INTEREST ON THE 532,427,05 FROM MAY 9<sup>TH</sup>, 2002, (6) POST JUDGEMENT INTEREST FROM THE DATE OF JUDGEMENT UNTIL THE JUDGEMENT IS SATISFIED, (7) FOR PLAINTIFFS COST INCURRED HEREIN, (8) FOR SUCH OTHER RELIEF AS THE COURT DEEMS JUST. (9) REQUEST COURT FOR PROTECTION ORDER BECAUSE OF DEATH THREATS AS COURT DEEMS NECESSARY FOR MYSELF AND MY FAMILY.

PRAYER

PLAINTIFFS PRAY THAT DEFENDANTS BE CITED IN TERMS OF THE LAW TO APPEAR AND ANSWER HEREIN, AND THAT ON TRIAL HEREOF, PLAINTIFFS HAVE JUDGEMENT AGAINST DEFENDANTS FOR THEIR ACTUAL DAMAGES AS ABOVE ALLEGED, PLUS PRE AND POST JUDGEMENT INTEREST AT THE MAXIMUM RATE ALLOWED BY LAW. ALL COST OF COURT AND ALL OTHER RELIEF, GENERAL AND SPECIAL, TO WHICH PLAINTIFFS MAY BE JUSTLY ENTITLED.

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Respectfully submitted,

Donald S. Bryant  
Donald S. Bryant Jr. and Linda M. Bryant,  
Linda M. Bryant  
Trustees of the Bryant Family Trust

Bryant Family Trust

5537 Eighteenth Street

Lubbock , Texas 79416

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BRYANT FAMILY TRUST

By Donald S. Bryant

Donald S. Bryant Jr .Trustee

of the Bryant Family Trust

And

By Linda M. Bryant

Linda M. Bryant, Trustee of the

Bryant Family Trust

Subscribed and sworn to me by Donald S. Bryant and Linda M. Bryant on December 1, 2003.

Karen B. Standefer  
Karen B. Standefer, Notary Public

